

**DENTAL BOARD[650]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code sections 147.76 and 153.33(8), the Dental Board hereby adopts amendments to Chapter 11, "Licensure to Practice Dentistry or Dental Hygiene," and Chapter 12, "Dental and Dental Hygiene Examinations," Iowa Administrative Code.

Notice of Intended Action was published in the December 1, 2010, Iowa Administrative Bulletin as **ARC 9243B**.

The Iowa Dental Board is the state agency that licenses dentists and dental hygienists and registers dental assistants. The Board is comprised of nine members: five dentists, two dental hygienists, and two members that represent the public. Under Iowa law, Iowa Code section 147.34, the dentists on the Board determine, by rule, what examination is required for dental licensure in Iowa. The Dental Hygiene Committee established in Iowa Code section 153.33A determines what examination is accepted for an Iowa dental hygiene license.

There are currently two ways to become licensed in Iowa as a dentist or dental hygienist: "licensure by examination" (taking and passing a clinical examination accepted by the Iowa Dental Board) or "licensure by credentials" (licensed in another state and practiced for at least three years).

These amendments apply to applicants seeking licensure by examination. These amendments establish the Central Regional Dental Testing Service, Inc. (CRDTS) as the examination the Dental Board will recognize for a dentist or dental hygienist applying for licensure by examination in Iowa. CRDTS is the independent regional testing agency that administers clinical competency examinations in dentistry and dental hygiene on behalf of its members and participating states. Iowa has been a member of CRDTS for many years.

For many years, individual state dental boards, including the Iowa Dental Board, administered an annual clinical examination to evaluate competency to practice dentistry. The American Dental Association reports that beginning in the late 1960s state dental licensing boards "realized that the clinical examinations could be improved by increasing and standardizing examiners and by making the examination available at a number of sites and on a number of dates throughout the year." Regional clinical testing organizations were formed. There are five regional testing organizations recognized across the country: Central Regional Dental Testing Service, Inc. (CRDTS), Council of Interstate Testing Agencies (CITA), Northeast Regional Board of Dental Examiners (NERB), Southern Regional Testing Agency (SRTA), and Western Regional Examining Board (WREB). These regional testing agencies are the method by which the required clinical competency examination is administered. The members of state dental licensing boards became members of one or more regional testing organizations. A few states continue to administer their own clinical examinations. While there has been some discussion about moving toward a national standardized clinical examination, one does not yet exist.

The purpose of the clinical examination is to assess the candidate's "professional knowledge, skills, abilities and judgment as applied in clinical treatment procedures that are a representative sample of the services that are provided in the practice of general dentistry" (from the 2011 CRDTS Dental Candidate Manual). A clinical examination involves live patients who participate in the testing with the dentist and dental hygienist graduate. As part of the clinical examination, the dentist's and dental hygienist's work is evaluated by licensed dentists and dental hygienists; these evaluators are referred to as "examiners." For example, a dentist demonstrates knowledge and ability by examining the patient, developing a treatment plan and then performing dental work such as filling a cavity. The candidate's work is evaluated by the examiner for the regional testing agency.

To become licensed by examination in Iowa, a dentist or dental hygienist must: (1) graduate from an accredited school, (2) pass the written National Board Dental Examinations developed by the Joint Commission on National Dental Examinations, and (3) pass a clinical competency examination administered by a regional testing agency acceptable to the Iowa Dental Board. These amendments establish the clinical examination administered by CRDTS as the examination that will be accepted for

“licensure by examination” in Iowa. Dentists and dental hygienists who have passed a different clinical examination may apply for a license through the “licensure by credentials” process described later in this preamble.

The CRDTS Examination Review Committees develop and revise the clinical examination. These committees include representatives from various member states, dental educators and special consultants. Members of the Iowa Dental Board participate on these committees and are involved in the development of the CRDTS clinical examination. The members of the Dental Board, through this active participation in the development of the examination and serving as examiners for CRDTS examinations given in multiple states, ensure that the clinical examination accepted for licensure in Iowa protects public health and safety.

Dentists and dental hygienists who are licensed in another state are eligible to apply for an Iowa license under the “licensure by credentials” procedure. Recently enacted legislation, 2011 Iowa Acts, Senate File 438, expands the options available for applicants seeking licensure by credentials. 2011 Iowa Acts, Senate File 438, makes changes to the licensure by credentials process and will provide an alternate route for applicants to be licensed by credentials. An applicant may either have: (1) held a license in another state and practiced three years, or (2) held a license in another state and taken a clinical examination approved by the Dental Board. For the second option there is no three-year practice requirement. The Board intends to propose amendments to expand the list of clinical examinations the Board will accept for licensure by credentials to include the five regional examinations recognized across the country: CRDTS, WREB, SRTA, CITA, and NERB. These two actions (this rule making and the statutory change) address the primary concerns raised during the comment period about restricting newer dentists and dental hygienists from practicing in Iowa.

During the public comment period, the Board received numerous comments about the proposed amendments. Comments were sought by posting the Notice of Intended Action on the Board’s Web site and providing for comments to be submitted electronically. Board members also met with the trustees of the Iowa Dental Association (IDA) and communicated with the Dean and other representatives of the University of Iowa College of Dentistry about the proposed amendments. A public hearing was held on December 21, 2010. Written and oral comments were received from the IDA, dental students, professors, practitioners, former Board members and other interested parties. All of the comments were compiled, posted on the Board’s Web site, and reviewed by the Board.

Some commenters supported the proposed amendments and recognized that CRDTS was the examination with which the Board members are actively involved. The Board members’ active participation in the development of the examination and as examiners was viewed as protecting the quality of the clinical examination given in Iowa and protecting the citizens of Iowa.

Commenters opposed to the proposed amendments raised the following concerns: the potential adverse impact the change in examination requirements would have on current fourth-year dental students who had prepared for and made a financial commitment to take the WREB examination in spring 2011; the negative impact on access to care due to limiting the number of dentists and dental hygienists who could be licensed in Iowa if they had taken a different clinical examination; the asserted lack of evidence to support the conclusion that one regional testing agency’s clinical examination is a better prediction of competency; and the impact of the change in examination on the ability to encourage dentists to stay in the state after graduation or to return to Iowa.

The Board reviewed the comments and recognized the unintended consequence of potentially limiting new licensees’ receipt of an Iowa license if they did not take CRDTS. This would have been due to the fact that there is a statutory requirement that a person licensed out of state must practice three years before applying for an Iowa license through the “licensure by credentials” process. The Board worked with the IDA to get the law changed. 2011 Iowa Acts, Senate File 438, has been signed by the Governor and will become effective July 1, 2011. This law, as described above, will expand the options available for applicants seeking licensure by credentials.

The following changes have been made in the adopted amendments:

1. To accommodate fourth-year students of the University of Iowa College of Dentistry who have taken, or intend to take, the WREB examination prior to September 1, 2011, the amendments include a

transition provision. Applicants that successfully pass WREB (or American Board of Dental Examiners (ADEX), an examination currently only administered by two testing agencies, NERB and Nevada) by September 1, 2011, are eligible to apply for an Iowa license based on licensure by examination. This will permit the current senior dental students to proceed with existing plans to take WREB at the University of Iowa College of Dentistry.

2. Minor formatting changes were made. Catchwords were added to subrules 11.2(2) and 11.5(2) and to the subrules in rules 650—12.1(147,153) and 650—12.3(147,153) to make it easier to identify licensure application requirements.

3. The amendments update the name of the Board from the “Board of Dental Examiners” to the “Iowa Dental Board.”

These rules are subject to waiver or variance. Special cases that fall outside these rules may be addressed through the Board’s rule waiver procedures located in 650—Chapter 7.

The Iowa Dental Board adopted these amendments on April 12, 2011.

These amendments will become effective June 22, 2011.

These amendments are intended to implement Iowa Code sections 153.33 and 153.34.

The following amendments are adopted.

ITEM 1. Amend subrule 11.2(2) as follows:

**11.2(2)** Applications for licensure must be filed with the board along with:

a. Documentation of graduation from dental college. Satisfactory evidence of graduation with a DDS or DMD from an accredited dental college approved by the board or satisfactory evidence of meeting the requirements specified in rule 650—11.4(153).

b. Certification of good standing from dean or designee. Certification by the dean or other authorized representative of the dental school that the applicant has been a student in good standing while attending that dental school.

c. Certification of good standing in each state where licensed. If the applicant is a dentist licensed by another jurisdiction, the applicant shall furnish certification from the board of dental examiners of that jurisdiction that the applicant is a licensed dentist in good standing.

d. Documentation of passage of national dental examination. Evidence of successful completion of Part I and Part II of the examination, with resulting scores, administered by the Joint Commission on National Dental Examinations. At the discretion of the board, any dentist who has lawfully practiced dentistry in another state or territory for five years may be exempted from presenting this evidence.

e. Documentation of passage of a regional clinical examination.

(1) Successful passage of CRDTS. Evidence of successful completion of the examination taken in the last five years, with resulting scores, administered by ~~the American Board of Dental Examiners, Inc., the Central Regional Dental Testing Service, Inc. (CRDTS), or the Western Regional Examining Board, Inc. (WREB).~~

(2) Special transition period for dentists passing WREB or ADEX examination prior to September 1, 2011. An applicant who has successfully taken and passed the WREB or ADEX examination within the five years prior to September 1, 2011, may apply for licensure by examination by submitting evidence of successful completion of the WREB or ADEX examination.

f. Explanation of any legal or administrative actions. A statement disclosing and explaining any disciplinary actions, investigations, complaints, malpractice claims, judgments, settlements, or criminal charges, including the results of a self-query of the National Practitioners Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB).

g. Payment of application, fingerprint and background check fees. The nonrefundable application fee, plus the fee for the evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI), as specified in 650—Chapter 15.

h. Documentation of passage of jurisprudence examination. Evidence of successful completion of the jurisprudence examination administered by the Iowa dental board ~~of dental examiners.~~

- i. Current CPR certification.* Evidence that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation.
- j. Current photograph.* A photograph of the applicant suitable for positive identification.
- k. Completed fingerprint packet.* A completed fingerprint packet to facilitate a criminal history background check by the DCI and FBI.

ITEM 2. Amend subrule 11.5(2) as follows:

**11.5(2)** Applications for licensure must be filed with the dental hygiene committee along with:

- a. Documentation of graduation from dental hygiene school.* Satisfactory evidence of graduation from an accredited school of dental hygiene approved by the dental hygiene committee.
- b. Certification of good standing from dean or designee.* Certification by the dean or other authorized representative of the school of dental hygiene that the applicant has been a student in good standing while attending that dental hygiene school.
- c. Certification of good standing in each state where licensed.* If the applicant is licensed as a dental hygienist by another jurisdiction, the applicant shall furnish certification from the appropriate examining board of that jurisdiction that the applicant is a licensed dental hygienist in good standing.
- d. Documentation of completion of national examination.* Evidence of successful completion of the examination, with resulting scores, administered by the Joint Commission on National Dental Examinations.
- e. Passage of regional clinical examination.*
  - (1) Successful passage of CRDTS. Evidence of successful completion of the examination taken in the last five years, with resulting scores, administered by the Central Regional Dental Testing Service, Inc. (CRDTS) ~~or the Western Regional Examining Board, Inc.~~
  - (2) Special transition period for dental hygienists passing WREB examination prior to September 1, 2011. An applicant who has successfully taken and passed the WREB examination within the five years prior to September 1, 2011, may apply for licensure by examination by submitting evidence of successful completion of the WREB examination.
- f. Payment of application, fingerprint and background check fees.* The nonrefundable application fee, plus the fee for the evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI), as specified in 650—Chapter 15.
- g. Documentation of passage of jurisprudence examination.* Evidence of successful completion of the jurisprudence examination administered by the dental hygiene committee.
- h. Current CPR certification.* Evidence that the applicant possesses a valid certificate in a nationally recognized course in cardiopulmonary resuscitation.
- i. Explanation of any legal or administrative actions.* A statement disclosing and explaining any disciplinary actions, investigations, complaints, malpractice claims, judgments, settlements, or criminal charges, including the results of a self-query of the National Practitioners Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB).
- j. Current photograph.* A photograph of the applicant suitable for positive identification.
- k. Completed fingerprint packet.* A completed fingerprint packet to facilitate a criminal history background check by the DCI and FBI.

ITEM 3. Amend rule 650—12.1(147,153) as follows:

**650—12.1(147,153) Clinical examination procedure for dentistry.**

**12.1(1)** Completion of regional clinical examination required.

- a. CRDTS accepted for licensure by examination.* To meet the requirements for dental licensure by examination, applicants shall complete the examination administered by ~~the American Board of Dental Examiners, Inc. (ADEX), the Central Regional Dental Testing Service, Inc. (CRDTS), or the Western Regional Examining Board, Inc. (WREB).~~

b. Special transition period for dentists passing WREB or ADEX examination prior to September 1, 2011. An applicant who has successfully passed the WREB or ADEX examination prior to September 1, 2011, may apply for licensure by examination.

**12.1(2) Compliance with testing requirements and procedures.**

a. CRDTS. Examinees shall meet the requirements for testing and follow the procedures established by the American Board of Dental Examiners, Inc., the Central Regional Dental Testing Service, Inc., or the Western Regional Examining Board, Inc.

b. Special transition period for dentists passing WREB or ADEX examination prior to September 1, 2011. Examinees who have completed the WREB or ADEX examination prior to September 1, 2011, shall meet the requirements for testing and follow the procedures established by WREB or ADEX.

**12.1(3) Scoring requirements.**

a. Prior to April 1, 1995, the examinee must attain an average grade of not less than 70 percent on each clinical portion of the examination and 70 percent on the written portion of the examination.

b. Between April 1, 1995, and December 31, 2000, the examinee must attain an average grade of not less than 75 percent on each clinical portion of the examination and 75 percent on the written portion of the examination.

c. Effective Between January 1, 2001, and June 22, 2011, the examinee must attain a comprehensive score that meets the standard for passing established by ADEX, CRDTS, or WREB.

d. Post-June 22, 2011, and special transition period.

(1) Effective June 22, 2011, the examinee must attain a comprehensive score that meets the standard for passing established by CRDTS.

(2) Special transition period for dentists passing WREB or ADEX. Examinees who successfully complete the WREB or ADEX examination by September 1, 2011, must attain a comprehensive score that meets the standard for passing established by WREB or ADEX.

**12.1(4) Compliance with performance clinical operations requirements.**

a. Each examinee shall be required to perform such clinical operations as may be required by the American Board of Dental Examiners, Inc., the Central Regional Dental Testing Service, Inc., or the Western Regional Examining Board, Inc. (WREB) for the purpose of sufficiently evaluating and testing the fitness of the examinee to practice dentistry.

b. Special transition period for dentists passing WREB or ADEX. Examinees who successfully complete the WREB or ADEX examination by September 1, 2011, shall be required to perform such clinical operations as may be required by WREB or ADEX for the purpose of sufficiently evaluating and testing the fitness of the examinee to practice dentistry.

ITEM 4. Amend subrule 12.2(5) as follows:

**12.2(5) Failures of other examinations.** If a dental examinee applies for the American Board of Dental Examiners, Inc., the Central Regional Dental Testing Service, Inc., or the Western Regional Examining Board, Inc., examination after having failed any other state or regional examination, the failures failure shall be considered ADEX, a CRDTS, or WREB failures failure for the purposes of retakes.

ITEM 5. Amend rule 650—12.3(147,153) as follows:

**650—12.3(147,153) Clinical examination procedure for dental hygiene.**

**12.3(1) Completion of regional clinical examination required.**

a. CRDTS accepted for licensure by examination. To meet the requirements for dental hygiene licensure by examination, applicants shall complete the examination administered by either the Central Regional Dental Testing Service, Inc. (CRDTS) or the Western Regional Examining Board, Inc. (WREB).

b. Special transition period for dentists passing WREB examination prior to September 1, 2011. An applicant who has successfully passed the WREB examination prior to September 1, 2011, may apply for licensure by examination.

**12.3(2) Compliance with testing requirements and procedures.**

*a. CRDTS.* Examinees shall meet the requirements for testing and follow the procedures established by either the Central Regional Dental Testing Service, Inc. or the ~~Western Regional Examining Board, Inc.~~

*b. Special transition period for dentists passing WREB examination prior to September 1, 2011.* Examinees who successfully complete the WREB examination prior to September 1, 2011, shall meet the requirements for testing and follow the procedures established by WREB.

**12.3(3) Scoring requirements.**

*a.* Prior to December 31, 2003, the examinee must attain an average grade of 70 percent on the examination.

*b. Effective Between January 1, 2004, and June 22, 2011,* the examinee must attain a comprehensive score that meets the standard for passing established by CRDTS or WREB.

*c. Post-June 22, 2011, and special transition period.*

*(1) Effective June 22, 2011, the examinee must attain a comprehensive score that meets the standard for passing established by CRDTS.*

*(2) Special transition period for dental hygienists passing WREB.* Examinees who successfully complete the WREB examination by September 1, 2011, must attain a comprehensive score that meets the standard for passing established by WREB.

**12.3(4) Practical demonstrations.** Each examinee shall be required to perform such practical demonstrations as may be required by the Central Regional Dental Testing Service, Inc. or the ~~Western Regional Examining Board, Inc.~~, for the purpose of sufficiently evaluating and testing the fitness of the examinee to practice dental hygiene.

ITEM 6. Amend paragraph **12.4(1)“a”** as follows:

*a.* For the purposes of counting examination failures, the board shall utilize the policies adopted by CRDTS or ~~WREB.~~

ITEM 7. Amend subrule 12.4(5) as follows:

**12.4(5) Failures of other examinations.** If a dental hygiene examinee applies for the Central Regional Dental Testing Service, Inc. or the ~~Western Regional Examining Board, Inc.~~ examination after having failed any other state or regional examination, the ~~failures~~ failure shall be considered a ~~CRDTS or WREB failures~~ failure for the purposes of retakes.

[Filed 4/26/11, effective 6/22/11]

[Published 5/18/11]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 5/18/11.